

# **EXHIBIT C**

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 PURCHASING LLC; BEST BUY ENTERPRISE  
 15 SERVICES, INC.; BEST BUY STORES, L.P.;  
 BESTBUY.COM, L.L.C.; and MAGNOLIA HI-  
 16 FI, LLC

17 **UNITED STATES DISTRICT COURT**  
 18 **NORTHERN DISTRICT OF CALIFORNIA**

19 BEST BUY CO., INC.; BEST BUY PURCHASING  
 LLC; BEST BUY ENTERPRISE SERVICES, INC.;  
 20 BEST BUY STORES, L.P.; BESTBUY.COM, L.L.C.;  
 and MAGNOLIA HI-FI, LLC,

21 Plaintiffs,

22 v.

23 TECHNICOLOR SA (f/k/a THOMSON SA),  
 TECHNICOLOR USA, INC. (f/k/a THOMSON  
 CONSUMER ELECTRONICS, INC.), VIDEOCON  
 24 INDUSTRIES, LTD., TECHNOLOGIES DISPLAYS  
 AMERICAS LLC (f/k/a THOMSON DISPLAYS  
 25 AMERICAS LLC), MITSUBISHI ELECTRIC  
 CORPORATION; MITSUBISHI ELECTRIC VISUAL  
 26 SOLUTIONS AMERICA, INC.; and MITSUBISHI  
 ELECTRIC & ELECTRONICS USA, INC.,

27 Defendants.  
 28

Case No.

**COMPLAINT [REDACTED]**

JURY TRIAL DEMANDED

1  
2 Plaintiffs, Best Buy Co., Inc.; Best Buy Purchasing LLC; Best Buy Enterprise Services,  
3 Inc.; Best Buy Stores, L.P.; BestBuy.com, L.L.C.; and Magnolia Hi-Fi, LLC (collectively  
4 “Plaintiffs” or “Best Buy”), for their Complaint against all Defendants named herein, hereby  
5 allege as follows:

6 **I. INTRODUCTION**

7 1. Best Buy brings this action to recover damages caused by a long-running  
8 conspiracy extending from at least March 1, 1995, through at least November 25, 2007 (the  
9 “**Relevant Period**”), conducted by an international cartel formed by Defendants and their co-  
10 conspirators. The purpose and effect of this conspiracy was to fix, raise, stabilize and maintain  
11 prices for cathode ray tubes (“**CRTs**”).

12 2. Defendants and their co-conspirators are or were among the leading  
13 manufacturers of: (a) color picture tubes (“**CPTs**”), which are CRTs used primarily in color  
14 televisions; (b) color display tubes (“**CDTs**”), which are CRTs used primarily in color computer  
15 monitors; and (c) electronic devices containing CPTs (such as televisions) or CDTs (such as  
16 computer monitors). For the purposes of this Complaint, CPTs of all sizes and the products  
17 containing them shall be referred to collectively as “**CPT Products**.” Also for the purposes of  
18 this Complaint, CDTs of all sizes and the products containing them shall be referred to as “**CDT**  
19 **Products**.” CDT Products and CPT Products shall be referred to collectively herein as “**CRT**  
20 **Products**.”

21 3. During the Relevant Period, Defendants and their co-conspirators  
22 controlled the majority of the CRT industry, a multibillion dollar market, which in 1999 alone  
23 generated over \$19 billion dollars in gross revenue. During the Relevant Period, virtually every  
24 household in the United States owned at least one CRT Product.

25 4. Since the mid-1990s, the CRT industry faced significant economic  
26 pressures as customer preferences for other emerging technologies shrank profits and threatened  
27 the sustainability of the industry. In order to maintain price stability, increase profitability, and  
28 decrease the erosion of pricing in the CRT market, Defendants and their co-conspirators

1 conspired, combined and contracted to fix, raise, maintain and stabilize the price at which CRTs  
2 were sold in the United States.

3  
4 5. With respect to CRTs, Defendants, their co-conspirators and/or their agents  
5 agreed, *inter alia*, to: (a) fix target prices and price guidelines; (b) exchange pertinent information  
6 on, *inter alia*, shipments, prices, production and customer demand; (c) coordinate public  
7 statements regarding available capacity and supply; (d) resolve issues created by asymmetrical  
8 vertical integration among some of the co-conspirators; (e) keep their collusive meetings secret;  
9 (f) expose cheating on the agreements and to discuss the reconciliation of accounts; (g) allocate  
10 market share of overall sales; (g) influence and, at times, coordinate pricing with producers in  
11 other geographic areas; (h) limit competition for certain key customers; (i) allocate customers; (j)  
12 allocate each producer's share of certain key customers' sales; and (k) restrict output.

13 6. The conspiracy concerning CRTs commenced with bilateral meetings that  
14 began in at least March of 1995 and continued throughout the Relevant Period. Also beginning in  
15 1995, the co-conspirators began to engage in informal group meetings. By 1997, these group  
16 meetings had become more formalized, as described in greater detail below. There were at least  
17 500 conspiracy meetings during the Relevant Period, including hundreds of group meetings and  
18 hundreds of bilateral meetings. These meetings occurred in various locales, including Taiwan,  
19 South Korea, Indonesia, Thailand, Singapore, Malaysia, China, the U.K., Europe, and the United  
20 States. These meetings included representatives from the highest levels of the respective  
21 companies, as well as regional managers and others.

22 7. During the Relevant Period, the conspiracy affected billions of dollars of  
23 commerce throughout the United States.

24 8. This conspiracy is being investigated by the United States Department of  
25 Justice ("DOJ") and by multiple foreign competition authorities, including the European  
26 Commission, the Korean Fair Trade Commission, and the Japan Fair Trade Commission.  
27 Technicolor USA, Inc. (f/k/a Thomson Consumer Electronics, Inc.) was subpoenaed by the DOJ  
28 in connection with its investigation of CRT price-fixing. Technicolor SA is the subject of an

1 investigation by the Mexican Federal Competition Commission, and its affiliate in Brazil is under  
2 investigation by the Brazilian Ministry of Justice for fixing the prices of CRTs. The first  
3 participant to be indicted by the DOJ was C.Y. Lin, the former Chairman and CEO of co-  
4 conspirator Chunghwa Picture Tubes, Ltd., who had a two-count indictment issued against him by  
5 a federal grand jury in San Francisco on February 10, 2009. Since then, five more individuals  
6 have been indicted in connection with Defendants' CRT price-fixing conspiracy.

7  
8 9. In March 2011, co-conspirator Samsung SDI Company, Ltd. ("**Samsung**  
9 **SDI**") pleaded guilty to fixing the prices of CDTs during at least the nine-year period from  
10 January 1997 to March 2006. Samsung SDI paid a criminal fine to the United States of \$32  
11 million. The conspiracy to which Samsung SDI pleaded guilty was agreeing with its competitors  
12 and co-conspirators to raise the prices of CDTs, to reduce output of CDTs, and to allocate target  
13 market shares for the CDT market overall and for certain customers.

14 10. During the Relevant Period, Best Buy purchased CRT Products in the  
15 United States and elsewhere directly and indirectly from Defendants and their co-conspirators,  
16 and/or Defendants' and their co-conspirators' subsidiaries and affiliates and/or any agents  
17 Defendants or Defendants' subsidiaries and affiliates controlled. Best Buy thus suffered damages  
18 as a result of Defendants' and their co-conspirators' conspiracy, and brings this action to recover  
19 the overcharges paid for the CRT Products containing price-fixed CRTs it purchased during the  
20 Relevant Period.

21 11. This case is related to and concerns the same anti-competitive conspiracy  
22 and many of the same transactions and events that are presently pending in *Best Buy Co., Inc., et.*  
23 *al. v. Hitachi, Ltd. et.al.*, Individual Case No. 3:11-cv-05513-SC (Master File No. 3:07-cv-05944-  
24 SC, MDL No. 1917) ("*Best Buy v. Hitachi*"), before the Honorable Samuel Conti in this court.  
25 Both this case and *Best Buy v. Hitachi* are suits for damages arising out of the conspiracy to fix  
26 the prices of and restrain competition for CRTs in violation of the federal and state antitrust laws.

27 **II. JURISDICTION AND VENUE**

28 12. Best Buy brings this action to recover damages, including treble damages

1 under Section 4 of the Clayton Act, costs of suit and reasonable attorneys' fees arising from  
2 Defendants' violations of Section 1 of the Sherman Act (15 U.S.C. § 1).

3  
4 13. Plaintiffs also bring this action pursuant to the Minnesota Antitrust Act  
5 because Best Buy purchased in Minnesota CRT Products containing price-fixed CRTs from  
6 Defendants (and their co-conspirators) and non-defendant vendors.

7 14. The Court has subject matter jurisdiction pursuant to Sections 4 and 16 of  
8 the Clayton Act (15 U.S.C. §§ 15 and 26) and 28 U.S.C. §§ 1331 and 1337. The Court has  
9 supplemental jurisdiction over Plaintiffs' state law claims listed herein under 28 U.S.C. § 1367  
10 because they arise from the same nucleus of operative facts alleged in this Complaint. Plaintiffs'  
11 state law claims are so related to their claims under Section 1 of the Sherman Act that they form  
12 part of the same case or controversy.

13 15. The activities of Defendants and their co-conspirators, as described herein,  
14 involved U.S. import trade or commerce and/or were within the flow of, were intended to, and did  
15 have a direct, substantial and reasonably foreseeable effect on United States domestic and import  
16 trade or commerce. This effect gives rise to Plaintiffs' antitrust claims. During the Relevant  
17 Period, Defendants' conspiracy affected the price of CRT Products purchased in the United  
18 States.

19 16. This Court has jurisdiction over each Defendant named in this action under  
20 Section 12 of the Clayton Act (15 U.S.C. § 22). Defendants and their co-conspirators purposely  
21 availed themselves of the laws of the United States as they manufactured CRT Products for sale  
22 in the United States, or CRTs which were incorporated into CRT Products Defendants and their  
23 co-conspirators knew would be sold to customers in the United States. Defendants' and their co-  
24 conspirators' conspiracy affected this commerce in CRT Products in the United States.

25 17. Venue is proper in the Northern District of California under Section 12 of  
26 the Clayton Act (15 U.S.C. § 22) and 28 U.S.C. § 1391 because each Defendant is either an alien  
27 corporation, transacts business in this District, or is otherwise found within this District. In  
28 addition, venue is proper in this District under 28 U.S.C. § 1391 because a substantial part of the

1 events or omissions giving rise to this claim occurred in this District. Defendants and their co-  
2 conspirators knew that CRT Products containing price-fixed CRTs would be sold and shipped  
3 into this District.  
4

### 5 **III. PARTIES**

#### 6 **A. Plaintiffs**

7 18. Plaintiff Best Buy Co., Inc. is a Minnesota corporation with its  
8 headquarters and principal place of business in Richfield, Minnesota. Prior to 2004, Best Buy  
9 Co., Inc. operated retail stores throughout the United States and sold CRT Products in those  
10 stores.

11 19. Plaintiff Best Buy Purchasing LLC is a Minnesota Limited Liability  
12 Company and Plaintiff Best Buy Enterprise Services, Inc. is a Minnesota corporation with their  
13 headquarters and principal places of business in Richfield, Minnesota.

14 20. Plaintiff Best Buy Stores, L.P. is a Virginia Limited Partnership with its  
15 headquarters and principal place of business in Richfield, Minnesota. Best Buy Stores, L.P.  
16 operates retail stores throughout the United States and sells CRT Products in those stores.

17 21. Plaintiff BestBuy.com, L.L.C. is a Virginia Limited Liability Company  
18 with its headquarters and principal place of business in Richfield, Minnesota. BestBuy.com,  
19 L.L.C. is a wholly-owned subsidiary of Best Buy Stores, L.P. and operates Best Buy's retail  
20 online store.

21 22. During the Relevant Period, Best Buy Purchasing LLC, Best Buy  
22 Enterprise Services, Inc. and/or Best Buy Co., Inc. negotiated for the purchase of, purchased, and  
23 paid for CRT Products for Plaintiff Best Buys Stores, L.P. and BestBuy.com, L.L.C. These  
24 negotiations, purchasing and payments took place out of Best Buy's principal place of business  
25 and headquarters in Richfield, Minnesota.

26 23. Plaintiff Magnolia Hi-Fi, LLC ("MHF") is a wholly-owned subsidiary of  
27 Best Buy Co., Inc. with its headquarters in Olympia, Washington, and has done business as  
28 Magnolia Home Theater and Magnolia Audio Video. MHF is a specialty consumer electronic



1 retailer that operates several Magnolia Audio Video standalone stores along the west coast and  
2 the greater Chicago area, and several Magnolia Home Theater stores located within Best Buy  
3 stores. During the Relevant Time Period, MHF's purchasing of CRT Products took place in its  
4 headquarters in Kent Washington.

5  
6 24. During the Relevant Period, Best Buy purchased CRT Products directly  
7 and indirectly from the Defendants, and/or the Defendants' subsidiaries and affiliates and/or any  
8 agents the Defendants or Defendants' subsidiaries and affiliates controlled. As such, Best Buy  
9 suffered injury as a result of Defendants' and their co-conspirators' unlawful conduct.

10 25. Those products were kept as inventory and sold in Minnesota and every  
11 other state where Best Buy retail stores were located, and over the internet throughout the United  
12 States.

13 26. As a result of the Best Buy Plaintiffs' presence, purchases, and sales in  
14 Minnesota, and the substantial business they conduct in and with entities in Minnesota, Plaintiffs  
15 are entitled to the protection of the Sherman Act and the antitrust laws of Minnesota.

16 **B. Defendants**

17 **1. Thomson Entities**

18 27. Defendant Thomson SA (now known as Technicolor SA) ("**Thomson SA**")  
19 is a French Corporation with its principal place of business located at 1-5 Rue Jeanne d'Arc  
20 92130 Issy-les-Moulineaux, France. Thomson SA, on its own or through its wholly owned  
21 subsidiary Thomson Consumer Electronics, Inc., and other subsidiaries, was a major  
22 manufacturer of CRTs for the United States market, with plants located in the United States,  
23 Mexico, China and Europe. Thomson SA sold its CRTs internally to its television-manufacturing  
24 division, which had plants in the United States and Mexico, and to other television manufacturers  
25 in the United States and elsewhere. For much of the Relevant Period, the television  
26 manufacturing division of Thomson SA manufactured and sold in the United States CRT  
27 televisions under the RCA and GE brands. In July 2005, Thomson SA sold its CRT business to  
28 defendant and co-conspirator Videocon Industries, Ltd. for €240 million. Simultaneously,



1 Thomson SA invested a total of €240 million in Videocon, comprising a €225 million investment  
2 in Videocon Industries, Ltd. and a €15 million investment in Videocon International, and acquired  
3 13.1% of Videocon Industries, Ltd. The agreement with Videocon provided that Thomson  
4 management would help Videocon run the CRT business during the transition period and beyond.  
5 Videocon and Thomson also agreed to set up Preferred Supplier Agreements for Thomson's  
6 display components business. Thomson SA also received at least one seat on Videocon's board  
7 of directors when it invested in Videocon Industries, Ltd. Thomson SA maintained at least a 10%  
8 ownership interest in Videocon Industries, Ltd. for the remainder of the Relevant Period. In  
9 January 2010, Thomson SA changed its name to Technicolor SA. During the Relevant Period,  
10 Thomson SA manufactured, marketed, sold and/or distributed CRT Products, either directly or  
11 through its subsidiaries or affiliates, to customers throughout the United States.  
12

13 28. Defendant Thomson Consumer Electronics, Inc. (now known as  
14 Technicolor USA, Inc.) ("**Thomson Consumer**") is a United States corporation with its principal  
15 place of business located at 10330 N Meridian St., Indianapolis, Indiana 46290-1024. Thomson  
16 Consumer is a wholly owned subsidiary of Thomson SA and was Thomson SA's primary  
17 subsidiary for the manufacture and sales of CRTs in the United States during the Relevant Period.  
18 Thomson Consumer was a major manufacturer of CRTs for the United States market, with plants  
19 located in Scranton, Pennsylvania; Marion, Indiana; and Mexicali, Mexico. Thomson Consumer  
20 sold its CRTs to television manufacturers in the United States, Mexico and elsewhere. Thomson  
21 Consumer's CRT business was sold by its parent Thomson SA to Videocon Industries, Ltd. in  
22 2005. Simultaneously, Thomson Consumer's parent company Thomson SA invested €240  
23 million into Videocon Industries, Ltd. and obtained 13.1% ownership of Videocon Industries, Ltd.  
24 Thomson SA also received at least one seat on Videocon's board of directors when it invested in  
25 Videocon Industries, Ltd. The agreement with Videocon provided that Thomson management  
26 would help Videocon run the CRT business during the transition period and beyond. Videocon  
27 and Thomson also to set up Preferred Supplier Agreements for Thomson's displays components  
28 businesses. Thomson SA maintained at least a 10% ownership interest in Videocon Industries,

1 Ltd. throughout the Relevant Period. Thomson Consumer was a parent corporation of its wholly  
2 owned subsidiary, Thomson Displays Americas LLC. In January 2010, Thomson Consumer  
3 Electronics, Inc. changed its name to Technicolor USA, Inc. During the Relevant Period,  
4 Thomson Consumer manufactured, marketed, sold and/or distributed CRT Products either  
5 directly or through its subsidiaries or affiliates throughout the United States.  
6

7 29. Defendant Thomson SA had sufficient minimum contacts with the United  
8 States during the Relevant Period for it to be subject to personal jurisdiction in the United States.  
9 Thomson SA purposefully availed itself of the United States market for CRTs and CRT Products.  
10 Thomson SA fixed prices and constrained competition on CRTs it and its wholly owned  
11 subsidiary in the United States, Thomson Consumer, sold in the United States. Thomson SA had  
12 significant contacts with the United States, and it dominated and/or controlled the finances,  
13 policies, and/or affairs of its U.S.-based subsidiary, Thomson Consumer, relating to the antitrust  
14 violations alleged in this Complaint. During the Relevant Period, Thomson SA was a large  
15 multinational industrial and technology company. Thomson SA was neither a mere holding  
16 company nor a corporate shell, and its subsidiaries, including Thomson Consumer, were more  
17 than simple investment mechanisms for diversifying risk. Thomson SA had a controlling role in  
18 the operation of its subsidiaries and exercised a central management function over its subsidiaries,  
19 including Thomson Consumer, which served the function of servicing the pivotal U.S. CRT  
20 market. During the Relevant Period, between 40-50% of Thomson SA's revenues were derived  
21 from the United States, and Thomson SA's CEO described the United States as Thomson SA's  
22 most important market. Thomson SA managed its business centrally, including that of U.S.  
23 subsidiary Thomson Consumer, and its management and board of directors set its policies and  
24 direction. Thomson SA employees oversaw the United States profits and losses associated with  
25 Thomson Consumer's high-end and value TV businesses. Thomson SA also was involved in  
26 planning and purchasing discussions with U.S. CRT customers, Thomson SA had to approve the  
27 purchases made by U.S. customers, and Thomson SA was involved in CRT production and  
28 pricing discussions relating to CRTs manufactured in Mexico for the North American market.

During the Relevant Period, many Thomson SA executives also served as executives and/or board members of Thomson Consumer, and Thomson Consumer executives served as executive officers of or directors of Thomson SA, including the Chairman and CEO of Thomson SA who simultaneously served as the President and CEO of Thomson Consumer, and thereafter as the Chairman of Thomson Consumer:

Name	Role with Thomson SA	Role with Thomson Consumer
Thierry Breton	Chairman and CEO (1997-2001); Member, Board of Directors (2002-2005)	President & CEO (1997-2000); Chairman (1997-2001)
Olivier Mallet	Senior Vice President, Finance (1996-2000)	Director (1999-2000)
Charles Dehelly	Senior Executive Vice President (1998-2000); Senior Executive Vice President and COO (2001); CEO (2002-2004)	Director (2002-2003)
Julian Waldron	Senior Executive Vice President, CFO (2001-2007); Interim CEO and Senior Executive Vice President, CFO (2007-2008)	Director (2001-2007)
Frederic Rose	CEO (2008-present)	Chairman (2012-present)

Moreover, numerous other Thomson SA “Executive Officers” had operational responsibilities in the United States: Jim Meyer was Senior Executive Vice President of SBUs Americas, Multimedia Products and New Media Services; Al Arras was Executive Vice President of SBU Audio and Communications; Michael O’Hara was Senior Vice President of SBU Americas; and Enrique Rodriguez was Vice President of SBU Multimedia Products. All were stationed at Thomson Consumer in Indianapolis, Indiana.

30. *Defendant Technicolor SA, which during the Relevant Period was known as Thomson SA, has admitted that it participated in the conspiracy to fix the prices of CRTs. In its 2011 Annual Report to shareholders, Technicolor SA stated that it “played a minor role in the alleged anticompetitive conduct [regarding CRTs].” Following an investigation lasting four years, in December 2012 the European Commission levied a fine of €38.6 million against Technicolor SA for participating in a conspiracy to fix CRT prices. In its*

1 *2012 Annual Report, Technicolor SA acknowledged that “[f]ollowing the European*  
 2 *Commission decision, purchasers may bring individual claims against the Company seeking*  
 3 *compensation for alleged loss suffered as a result of the anti-competitive conduct.”*

4 31. Thomson SA and Thomson Consumer are collectively referred to herein as  
 5 “Thomson.”

6 **2. Videocon**

7  
 8 32. Defendant Videocon Industries, Ltd. (“**Videocon**”) is an Indian corporation  
 9 with its principal place of business located at Aurangabad Paithan Road 14, KM Stone,  
 10 Chitegaon, Aurangabad 431005, India. In 2005, Videocon acquired Thomson’s CRT business for  
 11 €240 million, which included facilities and personnel in the United States, Poland, Italy, Mexico  
 12 and China. The deal for Videocon to acquire Thomson SA’s CRT business was completed  
 13 through a special purpose vehicle, Eagle Electronics. At the same time that Videocon purchased  
 14 Thomson’s CRT business, Thomson SA invested a total of €240 million in Videocon, comprising  
 15 a €225 million investment in Videocon Industries, Ltd. and a €15 million investment in Videocon  
 16 International, and acquired 13.1% of Videocon Industries, Ltd. The agreement with Videocon  
 17 provided that Thomson management would help Videocon run the CRT business during the  
 18 transition period and beyond. Videocon and Thomson also to set up Preferred Supplier  
 19 Agreements for Thomson’s displays components businesses. Thomson SA maintained at least a  
 20 10% ownership interest in Videocon throughout the Relevant Period. Thomson SA also received  
 21 one or more seats on Videocon’s board of directors when it invested in Videocon. Videocon’s  
 22 purchase of Thomson’s CRT business included acquisition of Thomson Displays Americas LLC  
 23 (now known as Technologies Displays Americas, LLC) and its Mexican subsidiary, Thomson  
 24 Displays Mexicana, S.A. de C.V. (now known as Technologies Displays Mexicana, S.A. de  
 25 C.V.), including their facilities and personnel located in the United States, through Videocon’s  
 26 wholly owned investment entity located in the Cayman Islands, Eagle Corporation Limited.  
 27 Videocon manufactured CRTs for the United States market in Thomson’s former CRT plants in  
 28 Mexicali, Mexico and China. During the Relevant Period, Videocon manufactured, marketed,

1 sold and/or distributed CRT Products, either directly or indirectly through its subsidiaries or  
 2 affiliates, to customers throughout the United States.

### 3 **3. Technologies Displays**

4  
 5 33. Defendant Technologies Displays Americas LLC (formerly Thomson  
 6 Displays Americas LLC) (“**TDA**”) is a Delaware limited liability company with its principal  
 7 place of business located at 1778 Carr Road Ste 4B, Calexico, California 92231. TDA is a wholly  
 8 owned subsidiary of Videocon. TDA acquired Thomson’s U.S. CRT assets in 2005 after a period  
 9 of cooperation and transition with Thomson entities subsequent to and in connection with the  
 10 purchase and sale in 2005. TDA was originally formed with its governing members represented  
 11 equally from both Thomson and Videocon. TDA is owned by Eagle Corp., Ltd. Eagle Corp.,  
 12 Ltd. became a wholly owned subsidiary of Videocon on December 31, 2005, after Videocon  
 13 acquired the balance 81% equity stake in Eagle Corp., Ltd. Eagle Corp. acquired TDA in  
 14 September 2005. In August 2005, Thomson Consumer made a capital contribution to TDA in the  
 15 form of a transfer of assets and contract rights related to TDA’s North American CRT business.  
 16 TDA is the parent corporation of its co-conspirator, Technologies Displays Mexicana, S.A. de  
 17 C.V., a Mexican corporation which during the Relevant Period manufactured CRTs and sold the  
 18 CRTs to TDA for sale and distribution. During the Relevant Period, TDA manufactured,  
 19 marketed, sold and/or distributed CRT Products, either directly or indirectly through its  
 20 subsidiaries or affiliates, to customers throughout the United States. Defendants Thomson and  
 21 then Videocon dominated and/or controlled the finances, policies, and/or affairs of TDA and its  
 22 subsidiary Technologies Displays Mexicana, S.A. de C.V., relating to the antitrust violations  
 23 alleged in this Complaint. Two high-level Thomson managers – Thomson’s Managing Director  
 24 of NAFTA Sales, Jack K. Brunk (“**Brunk**”), and Thomson’s General Manager, James P.  
 25 Hanrahan (“**Hanrahan**”) – transitioned to work for TDA after it acquired Thomson’s CRT  
 26 business. In addition, TDA referred to itself as a “Thomson” business after Videocon’s  
 27 acquisition of Thomson’s CRT business. TDA and Technologies Displays Mexicana, S.A. de  
 28 C.V., are collectively referred to as “**Technologies Displays**”

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4. **Mitsubishi Entities**

34. Defendant Mitsubishi Electric Corporation (“**Mitsubishi Electric Japan**”) is a Japanese corporation located at Building 2-7-3, Marunouchi, Chiyoda-ku, Tokyo 100-8310, Japan. Mitsubishi Electric is a Fortune Global 500 Company that was ranked 214 in 2011 and that had combined net sales of over \$44 billion in 2012. It has various subsidiaries operating in the United States, Mexico and Canada. Mitsubishi Electric Japan and its subsidiaries manufactured CRTs in factories located in Japan, Taiwan, Mexico and Canada for sale in the United States. These CRTs were sold internally to Mitsubishi’s television and monitor manufacturing division and to other television and monitor manufacturers in the United States and elsewhere. Mitsubishi’s television and monitor division also purchased CRTs from other CRT manufacturers. During the Relevant Period, Mitsubishi Electric Japan manufactured, marketed, sold and distributed CRT Products in the United States.

35. Defendant Mitsubishi Electric & Electronics USA, Inc. (“**Mitsubishi Electric USA**”) is a United States corporation located at 5665 Plaza Drive, Cypress, California 90630. Mitsubishi Electric USA is a wholly-owned subsidiary of Mitsubishi Electric Japan. Mitsubishi Electric USA manufactured CRTs for the United States market in plants located in Mexicali, Mexico and Ontario, Canada. Mitsubishi Electric USA sold its CRTs internally to its television and monitor manufacturing division and to other television and monitor manufacturers in the United States and elsewhere. Mitsubishi’s television and monitor division also purchased CRTs from other CRT manufacturers. During the Relevant Period, Mitsubishi Electric USA manufactured, marketed, sold and distributed CRT Products in the United States.

36. Defendant Mitsubishi Electric Visual Solutions America, Inc. (f/k/a Mitsubishi Digital Electronics America, Inc.) (“**Mitsubishi Digital**”) is a United States corporation located at 9351 Jeronimo Road, Irvine, California 92618. Mitsubishi Digital is a wholly-owned subsidiary of Mitsubishi Electric Japan. During the Relevant Period, Mitsubishi Digital manufactured, marketed, sold and distributed CRT Products in the United States.



1  
2 37. Mitsubishi Electric Japan, Mitsubishi Electric USA and Mitsubishi Digital  
3 are collectively referred to herein as “**Mitsubishi.**”

4 **C. Co-Conspirators**

5 38. Various persons and firms not named as Defendants in this Complaint  
6 participated as co-conspirators in the violations alleged herein and performed acts and made  
7 statements in furtherance of the conspiracy to fix, raise, stabilize and maintain prices for CRTs.  
8 Many of these co-conspirators are named as defendants in the related case pending in this Court  
9 styled *Best Buy v. Hitachi*. Specific information regarding the identity of these co-conspirators  
10 and their participation in the CRT price-fixing conspiracy is set forth in the First Amended  
11 Complaint in *Best Buy v. Hitachi*.

12 **Hitachi Entities**

13 39. Co-conspirator Hitachi, Ltd. is a Japanese company with its principal place  
14 of business at 6-6, Marunouchi 1-chome, Chiyoda-ku, Tokyo, 100-8280, Japan. Hitachi, Ltd. is  
15 the parent company for the Hitachi brand of CRT Products. In 1996, Hitachi, Ltd.’s worldwide  
16 market share for color CRTs was 20 percent. During the Relevant Period, Hitachi, Ltd.  
17 manufactured, marketed, sold and/or distributed CRT Products, either directly or through its  
18 subsidiaries or affiliates, throughout the United States.

19 40. Co-conspirator Hitachi Displays, Ltd. (“**Hitachi Displays**”) is a Japanese  
20 company with its principal place of business located at 3300 Hayano, Mobara-shi, Chiba-ken,  
21 297-8622, Japan. Hitachi Displays was originally established as Mobara Works of Hitachi, Ltd.  
22 in Mobara City, Japan, in 1943. In 2002, all the departments of planning, development, design,  
23 manufacturing and sales concerned with the display business of Hitachi, Ltd. were spun off to  
24 create a separate company called Hitachi Displays. During the Relevant Period, Hitachi Displays  
25 manufactured, marketed, sold and/or distributed CRT Products, either directly or through its  
26 subsidiaries or affiliates, throughout the United States. Co-conspirator Hitachi, Ltd. dominated  
27 and controlled the finances, policies and affairs of Hitachi Displays relating to the antitrust  
28 violations alleged in this complaint.



1  
2 41. Co-conspirator Hitachi America, Ltd. ("**Hitachi America**") is a New York  
3 company with its principal place of business located at 50 Prospect Avenue, Tarrytown, New  
4 York 10591. Hitachi America is a wholly-owned and controlled subsidiary of Defendant Hitachi,  
5 Ltd. During the Relevant Period, Hitachi America manufactured, marketed, sold and/or  
6 distributed CRT Products, either directly or through its subsidiaries or affiliates, throughout the  
7 United States. Co-conspirator Hitachi, Ltd. dominated and controlled the finances, policies and  
8 affairs of Hitachi America relating to the antitrust violations alleged in this complaint.

9 42. Co-conspirator Hitachi Asia, Ltd. ("**Hitachi Asia**") is a Singaporean  
10 company with its principal place of business located at 7 Tampines Grande, #08-01 Hitachi  
11 Square, Singapore 528736. Hitachi Asia is a wholly-owned and controlled subsidiary of  
12 Defendant Hitachi, Ltd. During the Relevant Period, Hitachi Asia manufactured, marketed, sold  
13 and/or distributed CRT Products, either directly or through its subsidiaries or affiliates,  
14 throughout the United States. Co-conspirator Hitachi, Ltd. dominated and controlled the finances,  
15 policies and affairs of Hitachi Asia relating to the antitrust violations alleged in this complaint.

16 43. Co-conspirator Hitachi Electronic Devices (USA), Inc. ("**HEDUS**") is a  
17 Delaware corporation with its principal place of business located at 1000 Hurricane Shoals Road  
18 Suite D-100, Lawrenceville, GA 30043. HEDUS is a subsidiary of Defendant Hitachi, Ltd and  
19 Hitachi Displays. During the Relevant Period, HEDUS manufactured, marketed, sold and/or  
20 distributed CRT Products, either directly or through its subsidiaries or affiliates, throughout the  
21 United States. Co-conspirators Hitachi, Ltd. and Hitachi Displays dominated and controlled the  
22 finances, policies and affairs of HEDUS relating to the antitrust violations alleged in this  
23 complaint.

24 44. Co-conspirator Shenzhen SEG Hitachi Color Display Devices, Ltd.  
25 ("**Hitachi Shenzhen**") was a Chinese company with its principal place of business located at  
26 5001 Huanggang Road, Futian District, Shenzhen 518035, China. Hitachi Displays, Ltd. owned  
27 at least a 25% interest in Hitachi Shenzhen until November 8, 2007 (which was coincidentally  
28 around the time that the government investigations into the CRT industry began). Thus, Hitachi

1 Shenzhen was a member of the Hitachi corporate group for all but the last two weeks of the  
2 Relevant Period. During the Relevant Period, Hitachi Shenzhen manufactured, marketed, sold  
3 and/or distributed CRT Products, either directly or through its subsidiaries or affiliates,  
4 throughout the United States. Co-conspirators Hitachi, Ltd. and Hitachi Displays dominated and  
5 controlled the finances, policies and affairs of Hitachi Shenzhen relating to the antitrust violations  
6 alleged in this complaint.

7  
8 45. Co-conspirators Hitachi Ltd., Hitachi Displays, Hitachi America, Hitachi  
9 Asia, HEDUS and Hitachi Shenzhen are collectively referred to herein as “**Hitachi**.”

10 **IRICO Entities**

11 46. Co-conspirator IRICO Group Corporation (“**IGC**”) is a Chinese company  
12 with its principal place of business located at 1 Caihong Rd., Xianyang City, Shaanxi Province  
13 712021. IGC is the parent company for multiple subsidiaries engaged in the manufacture,  
14 marketing, distribution and sale of CRT Products. During the Relevant Period, IGC  
15 manufactured, marketed, sold and/or distributed CRT Products, either directly or through its  
16 subsidiaries or affiliates, throughout the United States.

17 47. Co-conspirator IRICO Group Electronics Co., Ltd. (“**IGE**”) is a Chinese  
18 company with its principal place of business located at 1 Caihong Rd., Xianyang City, Shaanxi  
19 Province 712021. IGE is owned by Defendant IGC. According to its website, IGE was the first  
20 CRT manufacturer in China and one of the leading global manufacturers of CRTs. Its website  
21 also claims that in 2003 it was the largest CRT manufacturer in China in terms of production and  
22 sales volume, sales revenue and aggregated profit, and taxation. During the Relevant Period, IGE  
23 manufactured, marketed, sold and/or distributed CRT Products, either directly or through its  
24 subsidiaries or affiliates, throughout the United States. Co-conspirator IGC dominated and  
25 controlled the finances, policies and affairs of IGE relating to the antitrust violations alleged in  
26 this complaint.

27 48. Co-conspirator IRICO Display Devices Co., Ltd. (“**IDDC**”) is a Chinese  
28 company with its principal place of business located at No. 16, Fenghui South Road West,

1 District High-tech Development Zone, Xi'an, SXI 710075. IDDC is a partially-owned subsidiary  
2 of co-conspirator IGC. In 2006, IDDC was China's top CRT maker. During the Relevant Period,  
3 IDDC manufactured, marketed, distributed and/or sold CRT Products, either directly or through  
4 its subsidiaries or affiliates, throughout the United States. Co-conspirator IGC dominated and  
5 controlled the finances, policies and affairs of IDDC relating to the antitrust violations alleged in  
6 this complaint.  
7

8 49. Co-conspirators IGC, IGE and IDDC are collectively referred to herein as  
9 **"TRICO."**

10 **LG Electronics Entities**

11 50. Co-conspirator LG Electronics, Inc. ("**LGEI**") is a corporation organized  
12 under the laws of the Republic of Korea with its principal place of business located at LG Twin  
13 Towers, 20 Yeouido-dong, Yeongdeungpo-gu, Seoul 150-721, South Korea. LGEI is a \$48.5  
14 billion global force in consumer electronics, home appliances and mobile communications, which  
15 established its first overseas branch office in New York in 1968. The company's name was  
16 changed from Gold Star Communications to LGEI in 1995, the year in which it also acquired  
17 Zenith in the United States. In 2001, LGEI transferred its CRT business to a 50/50 joint venture  
18 with co-conspirator Koninklijke Philips Electronics N.V. called LG.Philips Displays ("**LGPD**").  
19 On April 1, 2007, LGPD became an independent company and changed its name to LP Displays  
20 International Ltd. During the Relevant Period, LGEI manufactured, marketed, sold and/or  
21 distributed CRT Products, either directly or through its subsidiaries or affiliates, throughout the  
22 United States.

23 51. Co-conspirator LG Electronics USA, Inc. ("**LGEUSA**") is a Delaware  
24 corporation with its principal place of business located at 1000 Sylvan Ave., Englewood Cliffs,  
25 New Jersey 07632. LGEUSA is a wholly-owned and controlled subsidiary of co-conspirator  
26 LGEI. During the Relevant Period, LGEUSA manufactured, marketed, sold and/or distributed  
27 CRT Products, either directly or through its subsidiaries or affiliates, throughout the United  
28 States. Co-conspirator LGEI dominated and controlled the finances, policies and affairs of

1 LGEUSA relating to the antitrust violations alleged in this complaint.

2  
3 52. Co-conspirator LG Electronics Taiwan Taipei Co., Ltd. (“**LGETT**”) is a  
4 Taiwanese entity with its principal place of business located at 7F, No. 47, Lane 3, Jihu Road,  
5 NeiHu District, Taipei City, Taiwan. LGETT is a wholly-owned and controlled subsidiary of co-  
6 conspirator LGEI. During the Relevant Period, LGETT manufactured, marketed, sold and/or  
7 distributed CRT Products, either directly or through its subsidiaries or affiliates, throughout the  
8 United States. Co-conspirator LGEI dominated and controlled the finances, policies and affairs of  
9 LGETT relating to the antitrust violations alleged in this complaint.

10 53. Co-conspirators LGEI, LGEUSA and LGETT are collectively referred to  
11 herein as “**LG Electronics.**”

12 **LP Displays**

13 54. Co-conspirator LP Displays International Ltd. f/k/a LGPD (“**LP Displays**”)  
14 is a Hong Kong company located at Corporate Communications, 6th Floor, ING Tower, 308 Des  
15 Voeux Road Central, Sheung Wan, Hong Kong. LP Displays is the successor entity to LGPD,  
16 which was created in 2001 as a 50/50 joint venture between co-conspirators LGEI and Royal  
17 Philips. In March 2007, LP Displays became an independent company. LP Displays is a leading  
18 supplier of CRTs for use in television sets and computer monitors with annual sales for 2006 of  
19 over \$2 billion and a market share of 27%. LP Displays announced in March 2007 that Royal  
20 Philips and LGEI would cede control over the company and the shares would be owned by  
21 financial institutions and private equity firms. During the Relevant Period, LP Displays  
22 manufactured, marketed, sold and/or distributed CRT Products, either directly or through its  
23 subsidiaries or affiliates, throughout the United States.

24 **Panasonic Entities**

25 55. Co-conspirator Panasonic Corporation, which was at all times during the  
26 Relevant Period known as Matsushita Electric Industrial Co, Ltd. and only became Panasonic  
27 Corporation on October 1, 2008, is a Japanese entity located at 1006 Oaza Kadoma, Kadoma-shi,  
28 Osaka 571-8501, Japan. During the Relevant Period, Panasonic Corporation manufactured,

1 marketed, sold and/or distributed CRT Products, either directly or through its subsidiaries or  
2 affiliates, throughout the United States.

3  
4 56. Co-conspirator Panasonic Corporation of North America (“**PCNA**”) is a  
5 Delaware corporation with its principal place of business located at One Panasonic Way,  
6 Secaucus, New Jersey 07094. PCNA is a wholly-owned and controlled subsidiary of co-  
7 conspirator Panasonic Corporation. During the Relevant Period, PCNA manufactured, marketed,  
8 sold and/or distributed CRT Products, either directly or through its subsidiaries or affiliates,  
9 throughout the United States. Co-conspirator Panasonic Corporation dominated and controlled  
10 the finances, policies and affairs of PCNA relating to the antitrust violations alleged in this  
11 complaint.

12 57. Co-conspirator Matsushita Electronic Corporation (Malaysia) Sdn. Bhd.  
13 (“**Matsushita Malaysia**”) was a Malaysian company with its principal place of business located  
14 at Lot 1, Persiaran Tengku Ampuan Section 21, Shah Alam Industrial Site, Shah Alam Malaysia  
15 40000. Matsushita Malaysia was a wholly-owned and controlled subsidiary of co-conspirator  
16 Panasonic Corporation. Panasonic Corporation transferred Matsushita Malaysia to MT Picture  
17 Display Co., Ltd. (“**MTPD**”), its CRT joint venture with Toshiba Corporation, in 2003. It was re-  
18 named MT Picture Display (Malaysia) Sdn. Bhd. and operated as a wholly-owned subsidiary of  
19 MTPD until its closure in 2006. During the Relevant Period, Matsushita Malaysia manufactured,  
20 marketed, sold and/or distributed CRT Products, either directly or through its subsidiaries or  
21 affiliates, throughout the United States. Co-conspirator Panasonic Corporation dominated and  
22 controlled the finances, policies and affairs of Matsushita Malaysia relating to the antitrust  
23 violations alleged in this complaint.

24 58. Co-conspirators Panasonic Corporation, PCNA, and Matsushita Malaysia  
25 are collectively referred to herein as “**Panasonic.**”

26 59. Co-conspirator MT Picture Display Co., Ltd., f/k/a Matsushita Toshiba  
27 Picture Display Co., Ltd. (“**MTPD**”) is a Japanese entity located at 1-15 Matsuo-cho, Kadoma-  
28 shi, Osaka, 571-8504, Japan. In 2002, Panasonic Corporation entered into a joint venture with co-

1 conspirator Toshiba Corporation called Matsushita Toshiba Picture Display Co., Ltd. to  
 2 manufacture CRTs. Panasonic Corporation was the majority owner with 64.5 percent. On March  
 3 30, 2007, Panasonic Corporation purchased the remaining 35.5 percent stake in the joint venture,  
 4 making Matsushita Picture Display Co., Ltd. a wholly-owned subsidiary of Panasonic  
 5 Corporation, and renaming it MT Picture Display Co., Ltd. During the Relevant Period, MTPD  
 6 manufactured, marketed, sold and/or distributed CRT Products, either directly or through its  
 7 subsidiaries or affiliates, throughout the United States.

8  
 9 60. Co-conspirator Beijing Matsushita Color CRT Co., Ltd. (“**BMCC**”) is a  
 10 Chinese company with its principal place of business located at No. 9 Jiuxianqiao N. Rd.,  
 11 Dashanzi Chaoyang District, Beijing, China. BMCC is a joint venture company, 50% of which is  
 12 held by co-conspirator MTPD. The other 50% is held by Beijing Orient Electronics (Group) Co.,  
 13 Ltd., China National Electronics Import & Export Beijing Company (a China state-owned  
 14 enterprise), and Beijing Yayunchun Branch of the Industrial and Commercial Bank of China (a  
 15 China state-owned enterprise). Formed in 1987, BMCC was Panasonic Corporation’s first CRT  
 16 manufacturing facility in China. BMCC is the second largest producer of CRTs for televisions in  
 17 China. During the Relevant Period, BMCC manufactured, marketed, sold and/or distributed CRT  
 18 Products, either directly or through its subsidiaries or affiliates, throughout the United States.

#### 19 **Philips Entities**

20 61. Co-conspirator Koninklijke Philips Electronics N.V. a/k/a Royal Philips  
 21 Electronics (“**Royal Philips**”) is a Dutch company with its principal place of business located at  
 22 Amstelplein 2, 1070 MX Amsterdam, The Netherlands. Royal Philips, founded in 1891, is one of  
 23 the world’s largest electronics companies, with 160,900 employees located in over 60 countries.  
 24 Royal Philips had sole ownership of its CRT business until 2001. In 2001, Royal Philips  
 25 transferred its CRT business to a 50/50 joint venture with co-conspirator LGEL, forming co-  
 26 conspirator LGPD (n/k/a LP Displays). In December 2005, as a result of increased pressure on  
 27 demand and prices for CRT Products, Royal Philips wrote off the remaining book value of 126  
 28 million Euros of its investment and said it would not inject further capital into the venture.



1 During the Relevant Period, Royal Philips manufactured, marketed, sold and/or distributed CRT  
2 Products, either directly or through its subsidiaries or affiliates, throughout the United States.

3  
4 62. Co-conspirator Philips Electronics North America Corporation (“**Philips**  
5 **America**”) is a Delaware corporation with its principal place of business located at 1251 Avenue  
6 of the Americas, New York, New York 10020-1104. Philips America is a wholly-owned and  
7 controlled subsidiary of co-conspirator Royal Philips. During the Relevant Period, Philips  
8 America manufactured, marketed, sold and/or distributed CRT Products, either directly or  
9 through its subsidiaries or affiliates, throughout the United States. Co-conspirator Royal Philips  
10 dominated and controlled the finances, policies and affairs of Philips America relating to the  
11 antitrust violations alleged in this complaint.

12 63. Co-conspirator Philips Electronics Industries (Taiwan), Ltd. (“**Philips**  
13 **Taiwan**”) is a Taiwanese company with its principal place of business located at 15F 3-1 Yuanqu  
14 Street, Nangang District, Taipei, Taiwan. Philips Taiwan is a subsidiary of co-conspirator Royal  
15 Philips. During the Relevant Period, Philips Taiwan manufactured, marketed, sold and/or  
16 distributed CRT Products, either directly or through its subsidiaries or affiliates, throughout the  
17 United States. Co-conspirator Royal Philips dominated and controlled the finances, policies and  
18 affairs of Philips Taiwan relating to the antitrust violations alleged in this complaint.

19 64. Co-conspirator Philips da Amazonia Industria Electronica Ltda. (“**Philips**  
20 **Brazil**”) is a Brazilian company with its principal place of business located at Av Torquato  
21 Tapajos 2236, 1 andar (parte 1), Flores, Manaus, AM 39048-660, Brazil. Philips Brazil is a  
22 wholly-owned and controlled subsidiary of co-conspirator Royal Philips. During the Relevant  
23 Period, Philips Brazil manufactured, marketed, sold and/or distributed CRT Products, either  
24 directly or through its subsidiaries or affiliates, throughout the United States. Co-conspirator  
25 Royal Philips dominated and controlled the finances, policies and affairs of Philips Brazil relating  
26 to the antitrust violations alleged in this complaint.

27 65. Co-conspirators Royal Philips, Philips America, Philips Taiwan and Philips  
28 Brazil are collectively referred to herein as “**Philips.**”



**Samsung Entities**

66. Co-conspirator Samsung SDI Co., Ltd. f/k/a Samsung Display Device Company (“**Samsung SDI**”) is a South Korean company with its principal place of business located at 575 Shin-dong, Youngtong-gu, Suwon, South Korea. Samsung SDI is a public company. Samsung Electronics Corporation (“**SEC**”) is a major shareholder of Samsung SDI, holding almost 20 percent of the stock. Founded in 1970, Samsung SDI claims to be the world’s leading company in the display and energy business, with 28,000 employees and facilities in 18 countries. In 2002, Samsung SDI held a 34.3% worldwide market share in the market for CRTs; more than any other producer. Samsung SDI has offices in Chicago and San Diego. During the Relevant Period, Samsung SDI manufactured, marketed, sold and/or distributed CRT Products, either directly or through its subsidiaries or affiliates, throughout the United States. SEC dominated and controlled the finances, policies and affairs of Samsung SDI relating to the antitrust violations alleged in this complaint.

67. Co-conspirator Samsung SDI America, Inc. (“**Samsung SDI America**”) is a California corporation with its principal place of business located at 3333 Michelson Drive, Suite 700, Irvine, California 92612. Samsung SDI America is a wholly-owned and controlled subsidiary of co-conspirator Samsung SDI. During the Relevant Period, Samsung SDI America manufactured, marketed, sold and/or distributed CRT Products, either directly or through its subsidiaries or affiliates, throughout the United States. SEC and co-conspirator Samsung SDI dominated and controlled the finances, policies and affairs of Samsung SDI America relating to the antitrust violations alleged in this complaint.

68. Co-conspirator Samsung SDI Mexico S.A. de C.V. (“**Samsung SDI Mexico**”) is a Mexican company with its principal place of business located at Blvd. Los Olivos, No. 21014, Parque Industrial El Florido, Tijuana, B.C. Mexico. Samsung SDI Mexico is a wholly-owned and controlled subsidiary of co-conspirator Samsung SDI. During the Relevant Period, Samsung SDI Mexico manufactured, marketed, sold and/or distributed CRT Products, either directly or through its subsidiaries or affiliates, throughout the United States. SEC and co-

1 conspirator Samsung SDI dominated and controlled the finances, policies and affairs of Samsung  
2 SDI Mexico relating to the antitrust violations alleged in this complaint.

3  
4 69. Co-conspirator Samsung SDI Brasil Ltda. (“**Samsung SDI Brazil**”) is a  
5 Brazilian company with its principal place of business located at Av. Eixo Norte Sul, S/N,  
6 Distrito Industrial, 69088-480 Manaus, Amazonas, Brazil. Samsung SDI Brazil is a wholly-  
7 owned and controlled subsidiary of co-conspirator Samsung SDI. During the Relevant Period,  
8 Samsung SDI Brazil manufactured, marketed, sold and/or distributed CRT Products, either  
9 directly or through its subsidiaries or affiliates, throughout the United States. SEC and co-  
10 conspirator Samsung SDI dominated and controlled the finances, policies and affairs of Samsung  
11 SDI Brazil relating to the antitrust violations alleged in this complaint.

12 70. Co-conspirator Shenzhen Samsung SDI Co., Ltd. (“**Samsung SDI**  
13 **Shenzhen**”) is a Chinese company with its principal place of business located at Huanggang Bei  
14 Lu, Futian Gu, Shenzhen, China. Samsung SDI Shenzhen is a wholly-owned and controlled  
15 subsidiary of co-conspirator Samsung SDI. During the Relevant Period, Samsung SDI Shenzhen  
16 manufactured, marketed, sold and/or distributed CRT Products, either directly or through its  
17 subsidiaries or affiliates, throughout the United States. SEC and co-conspirator Samsung SDI  
18 dominated and controlled the finances, policies and affairs of Samsung SDI Shenzhen relating to  
19 the antitrust violations alleged in this complaint.

20 71. Co-conspirator Tianjin Samsung SDI Co., Ltd. (“**Samsung SDI Tianjin**”) is a Chinese company with its principal place of business located at Developing Zone of Yi-Xian  
21 Park, Wuqing County, Tianjin, China. Samsung SDI Tianjin is a wholly-owned and controlled  
22 subsidiary of co-conspirator Samsung SDI. During the Relevant Period, Samsung SDI Tianjin  
23 manufactured, marketed, sold and/or distributed CRT Products, either directly or through its  
24 subsidiaries or affiliates, throughout the United States. SEC and co-conspirator Samsung SDI  
25 dominated and controlled the finances, policies and affairs of Samsung SDI Tianjin relating to the  
26 antitrust violations alleged in this complaint.

27  
28 72. Co-conspirator Samsung SDI (Malaysia) Sdn. Bhd. (“**Samsung SDI**

1 **Malaysia**”) is a Malaysian corporation with its principal place of business located at Lots 635 &  
 2 660, Kawasan Perindustrian, Tuanku Jafaar, 71450 Sungai Gadut, Negeri Sembilan Darul  
 3 Khusus, Malaysia. Samsung SDI Malaysia is a wholly-owned and controlled subsidiary of co-  
 4 conspirator Samsung SDI. During the Relevant Period, Samsung SDI Malaysia manufactured,  
 5 marketed, sold and/or distributed CRT Products, either directly or through its subsidiaries or  
 6 affiliates, throughout the United States. SEC and co-conspirator Samsung SDI dominated and  
 7 controlled the finances, policies and affairs of Samsung SDI Malaysia relating to the antitrust  
 8 violations alleged in this complaint.

9  
 10 73. Co-conspirators Samsung SDI, Samsung SDI America, Samsung SDI  
 11 Mexico, Samsung SDI Brazil, Samsung SDI Shenzhen, Samsung SDI Tianjin and Samsung SDI  
 12 Malaysia are collectively referred to herein as “**Samsung SDI**.”

### 13 **Samtel**

14 74. Co-conspirator Samtel Color Ltd. (“**Samtel**”) is an Indian company with its  
 15 principal place of business located at 52, Community Centre, New Friends Colony, New Delhi-  
 16 110065. Samtel’s market share for CRTs sold in India is approximately 40%, and it is that  
 17 country’s largest exporter of CRT Products. Samtel has gained safety approvals from the United  
 18 States, Canada, Germany, and Great Britain for its CRT Products. During the Relevant Period,  
 19 Samtel manufactured, marketed, sold and/or distributed CRT Products, either directly or through  
 20 its subsidiaries and affiliates, throughout the United States.

### 21 **Thai CRT**

22 75. Co-conspirator Thai CRT Co., Ltd. (“**Thai CRT**”) is a Thai company  
 23 located at 1/F 26 Siam Cement Rd., Bangsue Dusit, Bangkok, Thailand. Thai CRT is a subsidiary  
 24 of Siam Cement Group, and it was established in 1986 as Thailand’s first manufacturer of CRTs  
 25 for color televisions. During the Relevant Period, Thai CRT manufactured, marketed, sold and/or  
 26 distributed CRT Products, either directly or through its subsidiaries or affiliates, throughout the  
 27 United States.  
 28

**Toshiba Entities**

76. Co-conspirator Toshiba Corporation (“**TC**”) is a Japanese company with its principal place of business located at 1-1, Shibaura 1-chome, Minato-ku, Tokyo 105-8001, Japan. In 2001, TC held a 5 to 10 percent worldwide market share for CRTs used in televisions and in computer monitors. In December 1995, TC partnered with Orion Electronic Co. and two other non-Defendant entities to form P.T. Tosummit Electronic Devices Indonesia (“**TEDI**”) in Indonesia. TEDI was projected to have an annual production capacity of 2.3 million CRTs by 1999. In 2002, TC entered into MTPD, a joint venture with co-conspirator Panasonic Corporation, in which the entities consolidated their CRT businesses. During the Relevant Period, TC manufactured, marketed, sold and/or distributed CRT Products, either directly or through its subsidiaries or affiliates, throughout the United States.

77. Co-conspirator Toshiba America, Inc. (“**Toshiba America**”) is a Delaware corporation with its principal place of business located at 1251 Avenue of the Americas, Suite 4110, New York, New York 10020. Toshiba America is a wholly-owned and controlled subsidiary of co-conspirator TC. During the Relevant Period, Toshiba America manufactured, marketed, sold and/or distributed CRT Products, either directly or through its subsidiaries or affiliates, throughout the United States. Co-conspirator TC dominated and controlled the finances, policies and affairs of Toshiba America relating to the antitrust violations alleged in this complaint.

78. Co-conspirator Toshiba America Consumer Products, LLC (“**TACP**”) is a limited liability company that is headquartered at 82 Totowa Rd., Wayne, New Jersey 07470-3114. TACP is a wholly-owned and controlled subsidiary of co-conspirator TC through Toshiba America. During the Relevant Period, TACP manufactured, marketed, sold and/or distributed CRT Products, either directly or through its subsidiaries or affiliates, throughout the United States. Co-conspirator TC dominated and controlled the finances, policies and affairs of TACP relating to the antitrust violations alleged in this complaint.

79. Co-conspirator Toshiba America Electronic Components, Inc. (“**TAEC**”) is a California corporation with its principal place of business located at 19900 MacArthur

1 Boulevard, Suite 400, Irvine, California 92612. TAEC is a wholly-owned and controlled  
2 subsidiary of co-conspirator TC through Toshiba America. During the Relevant Period, TAEC  
3 manufactured, marketed, sold and/or distributed CRT Products, either directly or through its  
4 subsidiaries or affiliates, throughout the United States. Co-conspirator TC dominated and  
5 controlled the finances, policies and affairs of TAEC relating to the antitrust violations alleged in  
6 this complaint.  
7

8 80. Co-conspirator Toshiba America Information Systems, Inc. ("**TAIS**") is a  
9 California corporation with its principal place of business located at 9740 Irvine Blvd., Irvine,  
10 California 92618-1697. TAIS is a wholly-owned and controlled subsidiary of co-conspirator TC  
11 through Toshiba America. During the Relevant Period, TAIS manufactured, marketed, sold  
12 and/or distributed CRT Products, either directly or through its subsidiaries or affiliates,  
13 throughout the United States. Co-conspirator TC dominated and controlled the finances, policies  
14 and affairs of TAIS relating to the antitrust violations alleged in this complaint.

15 81. Co-conspirator P.T. Tosummit Electronic Devices Indonesia ("**TEDI**") was  
16 a CRT joint venture formed by TC, Orion Electronic Co., and two other entities in December  
17 1995. TEDI's principal place of business was located in Indonesia. TEDI was projected to have  
18 an annual production capacity of 2.3 million CRTs by 1999. In 2003, TEDI was transferred to  
19 co-conspirator MTPD, TC's joint venture with Panasonic Corporation, and its name was changed  
20 to PT.MT Picture Display Indonesia. During the Relevant Period, TEDI manufactured, marketed,  
21 sold and/or distributed CRT Products, either directly or through its subsidiaries or affiliates,  
22 throughout the United States. Co-conspirator TC dominated and controlled the finances, policies,  
23 and affairs of TEDI relating to the antitrust violations alleged in this complaint.

24 82. Co-conspirator Toshiba Display Devices (Thailand) Co., Ltd. ("**TDDT**")  
25 was a Thai company with its principal place of business located at 142 Moo 5 Bangkok Industrial  
26 Estate, Tivanon Road, Pathum Thani, Thailand 12000. TDDT was a wholly-owned and  
27 controlled subsidiary of co-conspirator TC. In 2003, TDDT was transferred to co-conspirator  
28 MTPD, TC's joint venture with Panasonic Corporation. It was re-named MT Picture Display

1 (Thailand) Co., Ltd. and operated as a wholly-owned and controlled subsidiary of MTPD until its  
2 closure in 2007. During the Relevant Period, TDDT manufactured, marketed, sold and/or  
3 distributed CRT Products, either directly or through its subsidiaries or affiliates, throughout the  
4 United States. Co-conspirator TC dominated and controlled the finances, policies and affairs of  
5 TDDT relating to the antitrust violations alleged in this complaint.  
6

7 83. Co-conspirators TC, Toshiba America, TACP, TAEC, TAIS, TEDI, and  
8 TDDT are collectively referred to herein as "**Toshiba.**"

9 **Orion/Daewoo Entities**

10 84. Co-conspirator Orion Electronic Co. ("**Orion**") was a Korean corporation.  
11 It filed for bankruptcy in 2004. Orion was a major manufacturer of CRT Products. In 1995,  
12 approximately 85% of Orion's \$1 billion in sales was attributed to CRT Products. Orion was  
13 involved in CRT Products sales and manufacturing joint ventures and had subsidiaries all over the  
14 world, including South Africa, France, Indonesia, Mexico, and the United States. Plaintiff is  
15 informed and believes that Orion was wholly owned by the "**Daewoo Group.**" The Daewoo  
16 Group included Daewoo Electronics Co., Ltd. ("**Daewoo Electronics**"), Daewoo Telecom Co.,  
17 Daewoo Corporation, and Orion Electronic Components Co. The Daewoo Group was dismantled  
18 in or around 1999. Daewoo Electronics and Orion were 50/50 joint venture partners in an entity  
19 called Daewoo-Orion Societe Anonyme ("**DOSA**") in France. As of approximately 1996, DOSA  
20 produced 1.2 million CRTs annually. Daewoo sold DOSA's CRT business in or around 2004.  
21 During the Relevant Period, Orion, Daewoo Electronics, and DOSA manufactured, marketed,  
22 sold and/or distributed CRTs and/or CRT Products, either directly or through their subsidiaries of  
23 affiliates, throughout the United States.

24 85. Co-conspirators Orion, Daewoo Electronics, and DOSA are collectively  
25 referred to herein as "**Daewoo.**"

26 **Chunghwa Entities**

27 86. Co-conspirator Chunghwa Picture Tubes, Ltd. ("**CPT**") is a Taiwanese  
28 company with its principal place of business at No. 1127, Heping Rd., Bade City, Taoyuan,



Taiwan. It was established in 1971 by Tatung Corporation to manufacture CRTs. In 1974, CPT's CRTs received certification by the United States, giving the company entry into that market. Throughout the Relevant Period, CPT was one of the major global CRT manufacturers. During the Relevant Period, CPT manufactured, marketed, sold and/or distributed CRT Products, either directly or through its subsidiaries or affiliates (such as its Fuzhou subsidiary), throughout the United States.

87. Co-conspirator Chunghwa Picture Tubes (Malaysia) Sdn. Bhd. ("**Chunghwa Malaysia**") is a Malaysian company with its principal place of business at Lot I, Subang Hi-Tech Industrial Park, Batu Tiga, 4000 Shah Alam, Selangor Darul Ehsan, Malaysia. It is a wholly-owned subsidiary of CPT. Chunghwa Malaysia is focused on CRT production, and it has established itself as one of the leading worldwide suppliers of CRTs. During the Relevant Period, Chunghwa Malaysia manufactured, marketed, sold and/or distributed CRT Products, either directly or through its subsidiaries or affiliates, throughout the United States. Co-conspirator CPT dominated and controlled the finances, policies and affairs of Chunghwa Malaysia relating to the antitrust violations alleged in this complaint.

88. Co-conspirators CPT and Chunghwa Malaysia are collectively referred to herein as "**Chunghwa**."

#### **Tatung**

89. Co-conspirator Tatung Company of America, Inc. ("**Tatung America**") is a California corporation with its principal place of business located at 2850 El Presido Street, Long Beach, California. Tatung America is a subsidiary of Tatung Company. Currently, Tatung Company owns approximately one-half of Tatung America. The other half used to be owned by Lun Kuan Lin, the daughter of Tatung Company's former Chairman T.S. Lin. Following Lun Kuan Lin's death, her share passed to her two children. During the Relevant Period, Tatung America manufactured, marketed, sold and/or distributed CRT Products manufactured by, among others, CPT, either directly or through its subsidiaries or affiliates, throughout the United States.



**Technologies Displays Mexicana**

90. Co-conspirator Technologies Displays Mexicana, S.A. de C.V. (“**Technologies Displays Mexicana**”), formerly known as Thomson Displays Mexicana, is a Mexican corporation with its principal place of business located at Calz. Robledo Industrial Colorad, Mexicali, B.C. 21384, Mexico. Technologies Displays Mexicana is a wholly owned subsidiary of defendant TDA, which is itself a wholly owned subsidiary of defendant Videocon. During the Relevant Period, Technologies Displays Mexicana manufactured, marketed, sold and/or distributed CRT Products, either directly or indirectly through subsidiaries or affiliates, to customers throughout the United States. Defendants Thomson SA and later Videocon and TDA dominated and/or controlled the finances, policies and/or affairs of Technologies Displays Mexicana relating to the antitrust violations alleged in this Complaint.

**TCL Thompson**

91. Co-conspirator TCL Thomson Electronics Corporation (“**TCL Thomson**”) is a joint venture formed between Thomson SA and TCL International Holdings Ltd. (“**TCL**”). TCL Thomson is headquartered at the TCL Building, South Nanhai Road, Nanshan District, Shenzhen, Guangdong, China. During the Relevant Period, TCL Thomson manufactured, marketed, sold and/or distributed CRT Products, either directly or indirectly through subsidiaries or affiliates, to customers throughout the United States. One of the direct or indirect subsidiaries of TCL Thomson or TCL that manufactured, marketed, sold and/or distributed CRT Products in the United States was TTE Technology, Inc. (“**TTE**”). Defendant Thomson SA dominated and/or controlled the finances, policies and/or affairs of TCL Thomson and TTE relating to the antitrust violations alleged in this Complaint.

**IV. AGENTS**

92. The acts alleged against Defendants in this Complaint were authorized, ordered, or done by their officers, agents, employees, or representatives, while actively engaged in the management and operation of Defendants’ businesses or affairs.

93. Each Defendant or co-conspirator acted as the principal, agent, or joint

1 venturer of, or for, other Defendants and co-conspirators with respect to the acts, violations, and  
 2 common course of conduct alleged by Plaintiff. Each Defendant and co-conspirator that is a  
 3 subsidiary of a foreign parent acts as the United States agent for CRTs and/or CRT Products  
 4 made by its parent company.

5  
 6 94. The acts charged in this Complaint have been done by Defendants and their  
 7 co-conspirators, or were authorized, ordered or done by their respective officers, agents,  
 8 employees or representatives while actively engaged in the management of each Defendant's or  
 9 co-conspirator's business or affairs.

## 10 **V. TRADE AND COMMERCE**

11 95. During the Relevant Period, each Defendant, or one or more of its  
 12 subsidiaries, sold CRT Products in the United States in a continuous and uninterrupted flow of  
 13 interstate commerce and foreign commerce, including through and into this judicial district.

14 96. During the Relevant Period, Defendants and their co-conspirators  
 15 collectively controlled a vast majority of the market for CRT Products, both globally and in the  
 16 United States.

17 97. The business activities of Defendants substantially affected interstate trade  
 18 and commerce in the United States, caused antitrust injury in the United States, and restrained  
 19 competition. The business activities of Defendants also substantially affected trade and  
 20 commerce in California and Minnesota and caused antitrust injuries and restrained competition in  
 21 California and Minnesota.

## 22 **VI. FACTUAL ALLEGATIONS**

### 23 **A. CRT Technology**

24 98. A CRT has three components: (a) one or more electron guns, each of which  
 25 is a series of metallic structures used to generate a beam of electrons; (b) a magnetic or other  
 26 deflection system used to aim the electron beam; and (c) a phosphor-coated glass faceplate that  
 27 phosphoresces when struck by an electron beam, thereby producing a viewable image. A  
 28 faceplate coated with one color of phosphor produces a monochromatic image, while a faceplate

1 coated with multiple colors of phosphor produces a polychromatic image. An aperture or shadow  
2 mask—a thin screen of perforated metal—is welded to the faceplate panel and, to produce a color  
3 image, is coated and rinsed multiple times, leaving a surface of thousands of narrow lines of red,  
4 green, blue and black.

5  
6 99. CRT technology was first developed more than a century ago. The first  
7 commercially practical CRT television was made in 1931. However, it was not until RCA  
8 Corporation introduced the product at the 1939 World's Fair that it became widely available to  
9 consumers. After that, CRTs became the heart of most display products, including televisions,  
10 computer monitors, oscilloscopes, air traffic control monitors and ATMs.

11 100. The quality of a CRT itself determines the quality of the CRT display. No  
12 external control or feature can make up for a poor quality tube. In this regard, the CRT defines  
13 the whole CRT product so that the product is often simply referred to as "the CRT."

14 101. Although there have been refinements and incremental advancements along  
15 the way since then, such as the development of thinner CRTs and CRTs with a flat screen, the  
16 CRT technology used today is similar to that RCA unveiled in 1939.

17 102. CRTs can be subdivided into CDTs and CPTs. As noted above, CPTs are  
18 used primarily in televisions and related devices and CDTs are primarily used in computer  
19 monitors and similar devices. The primary difference is that CDTs typically yield a higher  
20 resolution image requiring more pixels than do CPTs.

21 103. CRTs have no independent utility, and have value only as components of  
22 other products, such as TVs and computer monitors. The demand for CRTs thus directly derives  
23 from the demand for such products.

24 104. The market for CRTs and the market for the products into which they are  
25 placed are inextricably linked and intertwined because the CRT market exists to serve the CRT  
26 Products markets. The markets for CRTs and CRT Products are, for all intents and purposes,  
27 inseparable in that one would not exist without the other.

28 105. Best Buy has participated in the market for CRTs through their direct

1 purchases from Defendants of CRT Products containing price-fixed CRTs and their purchases of  
2 CRT Products containing price-fixed CRTs indirectly from non-Defendant original equipment  
3 manufacturers ("OEM") and others. Defendants' unlawful conspiracy has inflated the prices at  
4 which Best Buy bought CRT Products, and Best Buy has been injured thereby and paid supra-  
5 competitive prices for CRT Products.  
6

7 **B. Structure of the CRT Industry**

8 106. The CRT industry has several characteristics that facilitated a conspiracy,  
9 including market concentration, ease of information sharing, the consolidation of manufacturers,  
10 multiple interrelated business relationships, significant barriers to entry, heightened price  
11 sensitivity to supply and demand forces and homogeneity of products.

12 **1. Market Concentration**

13 107. During the Relevant Period, the CRT industry was dominated by relatively  
14 few companies. In 2004, Co-Conspirators Samsung SDI, LGPD (n/k/a LP Displays), MTPD, and  
15 Chunghwa, together held a collective 78% share of the global CRT market. The high  
16 concentration of market share facilitates coordination because there are fewer cartel members  
17 among which to coordinate pricing or allocate markets, and it is easier to monitor the pricing and  
18 production of other cartel members.

19 **2. Information Sharing**

20 108. Because of common membership in trade associations, interrelated  
21 business arrangements such as joint ventures, allegiances between companies in certain countries  
22 and relationships between the executives of certain companies, there were many opportunities for  
23 Defendants to discuss and exchange competitive information. The ease of communication was  
24 facilitated by the use of meetings, telephone calls, e-mails and instant messages. Defendants took  
25 advantage of these opportunities to discuss, and agree upon, their pricing for CRTs as alleged  
26 below.

27 109. Co-conspirators Hitachi, Chunghwa, and Samsung are all members of the  
28 Society for Information Display. Samsung and LG Electronics are two of the co-founders of the

1 Korea Display Industry Association. Similarly, Co-conspirators Daewoo, LG Electronics, LP  
2 Displays and Samsung are members of the Electronic Display Industrial Research Association.  
3 Upon information and belief, Defendants and their Co-Conspirators used these trade associations  
4 as vehicles for discussing and agreeing upon their pricing for CRTs. At the meetings of these  
5 trade associations, Defendants exchanged proprietary and competitively sensitive information  
6 which they used to implement and monitor the conspiracy.  
7

### 8 **3. Consolidation**

9 110. The CRT industry also had significant consolidation during the Relevant  
10 Period, including but not limited to: (a) the creation of LGPD in 2001, which was a joint venture  
11 involving Philips' and LG Electronics' CRT businesses; and (b) the 2002 merger of Toshiba's  
12 and Panasonic's CRT businesses into MTPD.

### 13 **4. Multiple Interrelated Business Relationships**

14 111. The industry is marked by a web of cross-licensing agreements, joint  
15 ventures and other cooperative arrangements that can facilitate collusion.

16 112. Examples of the high degree of cooperation among Defendants and their  
17 co-conspirators in both the CRT Product market and other closely related markets include the  
18 following:

- 19 a. The formation of the CRT joint venture LGPD in 2001 by co-conspirators  
20 LG Electronics and Philips.
- 21 b. Co-conspirators LG Electronics and Philips also formed LG.Philips LCD  
22 Co., Ltd. n/k/a LG Display Co., Ltd. in 1999 as a joint venture for the  
23 purpose of manufacturing TFT-LCD panels.
- 24 c. The formation of the CRT joint venture MTPD in 2003 by co-conspirators  
25 Toshiba and Panasonic.
- 26 d. Co-conspirators Toshiba and Panasonic also formed Toshiba-Matsushita  
27 Display Technology Co., Ltd. as a joint venture for the purpose of  
28 manufacturing TFT-LCD panels.

- e. In December 1995, Co-conspirator Toshiba partnered with Orion and two other non-Defendant entities to form TEDI, which manufactured CRTs in Indonesia.
- f. Co-conspirators Toshiba and Orion also signed a cooperative agreement relating to LCDs in 1995. Pursuant to the agreement, Daewoo produced STN-LCDs, and Toshiba, which had substituted its STN-LCD production with TFT-LCD production, marketed Daewoo's STN-LCDs globally through its network.
- g. Also in 1995, co-conspirator Toshiba entered into a technology transfer agreement with co-conspirator Chunghwa for large CPTs.
- h. Co-conspirator Chunghwa has a joint venture with co-conspirator Samsung for the production of LCD panels. Chunghwa now licenses the technology from co-conspirator Philips, a recent development that helped resolve a patent infringement suit filed in 2002.
- i. Co-conspirators LG Electronics and Hitachi entered into a joint venture in 2000 for the manufacture, sale and distribution of optical storage products such as DVD drives.
- j. Co-conspirator Samtel participates in a joint venture, Samcor Glass Limited, with co-conspirator Samsung and non-Defendant Corning Inc., USA for the production and supply of picture tube glass.
- k. Co-conspirator Samtel claims to have supplied CRTs to co-Conspirators LG Electronics, Philips, Panasonic, and Samsung.

##### **5. High Costs of Entry Into the Industry**

113. There are significant manufacturing and technological barriers to entry into the CRT industry. It would require substantial time, resources and industry knowledge to overcome these barriers to entry. It is also extremely unlikely that a new producer would enter the market in light of the declining demand for CRT Products.

1  
2 114. During the Relevant Period, the costs of the assembly components, both as  
3 a whole and individually, have been generally declining, and, in some periods, declining at a  
4 substantial rate. A combination of price discussions and manipulation of the output of CRTs  
5 allowed Defendants and their co-conspirators to keep prices above where they would have been  
6 but for the conspiracy.

7 **6. The Maturity of the CRT Product Market**

8 115. Newer industries typically are characterized by rapid growth, innovation  
9 and high profits. The CRT Product market is a mature one, and like many mature industries, is  
10 characterized by slim profit margins, creating a motivation to collude.

11 116. Demand for CRT Products was declining throughout the Relevant Period.  
12 Static declining demand is another factor which makes the formation of a collusive arrangement  
13 more likely because it provides a greater incentive to firms to avoid price competition.

14 117. In addition, conventional CRT televisions and computer monitors were  
15 being rapidly replaced by TFT-LCD and plasma displays. This was one of the factors which led  
16 Defendants to engage in this alleged price fixing scheme in order to slow down declining CRT  
17 Product prices. Between 2000 and 2006, revenues from the sale of CRT televisions in the United  
18 States declined by 50.7 percent and were predicted to decline by an additional 84.5 percent  
19 between 2006 and 2010.

20 118. Although demand was declining as a result of the popularity of flat-panel  
21 LCD and plasma televisions and LCD monitors, CRT televisions and monitors were still the  
22 dominant display technology during the Relevant Period, making Defendants' collusion and the  
23 international price fixing conspiracy worthwhile. Due to the high costs of LCD panels and  
24 plasma displays during the Relevant Period, a substantial market for CRT Products existed as a  
25 cheaper alternative to these new technologies.

26 119. In 1999, CRT monitors accounted for 94.5 percent of the retail market for  
27 computer monitors in North America. By 2002, that figure had dropped to 73 percent; still a  
28 substantial share of the market.



1  
2 120. As for CRT televisions, they accounted for 73 percent of the North  
3 American television market in 2004, and by the end of 2006, still held a 46 percent market share.

4 **7. Homogeneity of CRT Products**

5 121. CRT Products are commodity-like products which are manufactured in  
6 standardized sizes. One Defendant or co-conspirator's CRT Product for a particular application,  
7 such as a particular size television set or computer monitor, is substitutable for another's.  
8 Defendants sold and Plaintiffs purchased CRT Products primarily on the basis of price.

9 122. It is easier to form and sustain a cartel when the product in question is  
10 commodity-like because it is easier to agree on prices to charge and to monitor those prices once  
11 an agreement is formed.

12 **C. Pre-Conspiracy Market**

13 123. The genesis of the CRT conspiracy was in the late 1980s as the CRT  
14 Products business became more international and Defendants began serving customers that were  
15 also being served by other international companies. During this period, the employees of  
16 Defendants would encounter employees from their competitors when visiting their customers. A  
17 culture of cooperation developed over the years and these Defendant employees would exchange  
18 market information on production, capacity and customers.

19 124. In the early 1990s, representatives from con-conspirator Samsung SDI,  
20 Daewoo, Chunghwa, and Orion visited each other's factories in Southeast Asia. During this  
21 period, these producers began to include discussions about price in their meetings.

22 **D. Defendants' and Co-Conspirators' Illegal Agreements**

23 125. In order to control and maintain profitability during declining demand for  
24 CRT Products, Defendants and their co-conspirators have engaged in a contract, combination,  
25 trust or conspiracy, the effect of which has been to raise, fix, maintain and/or stabilize the prices  
26 at which they sold CRTs to artificially inflated levels from at least March 1, 1995 through at least  
27 November 25, 2007.  
28

1  
2 126. The CRT conspiracy was effectuated through a combination of group and  
3 bilateral meetings. In the formative years of the conspiracy (1995-1996), bilateral discussions  
4 were the primary method of communication and took place on an informal, ad hoc basis. During  
5 this period, representatives from Daewoo, LG Electronics and Samsung SDI visited other  
6 manufacturers, including Philips, Chunghwa, Thai CRT, Hitachi, Toshiba and Panasonic, to  
7 discuss increasing prices for CRTs in general and to specific customers. These meetings took  
8 place in Taiwan, South Korea, Thailand, Japan, Malaysia, Indonesia and Singapore. Samsung  
9 SDI, LG, and Chunghwa, along with Daewoo, also attended several ad hoc group meetings during  
10 this period. The participants at these group meetings also discussed increasing prices for CRTs.

11 127. As more manufacturers formally entered the conspiracy, group meetings  
12 became more prevalent. Beginning in 1997, group meetings occurred in a more organized,  
13 systematic fashion, and a formal system of multilateral and bilateral meetings was put in place.

14 128. The overall CRT conspiracy raised and stabilized worldwide and U.S.  
15 prices that Defendants and their co-conspirators charged for CRTs.

16 **1. "Glass Meetings"**

17 129. The group meetings among the participants in the CRT price-fixing  
18 conspiracy were referred to as "glass meetings" or "GSM." Glass meetings were attended by  
19 employees at three general levels of the participant corporations.  
20

21 130. The first level meetings were attended by high level company executives  
22 including CEOs, Presidents, and Vice Presidents, and were known as "top" meetings. Top  
23 meetings occurred less frequently, typically quarterly, and were focused on longer term  
24 agreements and forcing compliance with price fixing agreements. Because attendees at top  
25 meetings had authority as well as more reliable information, these meetings resulted in  
26 agreements. Attendees at top meetings were also able to resolve disputes because they were  
27 decision makers who could make agreements.

28 131. The second level meetings were attended by high level sales managers and

1 were known as “management” meetings. These meetings occurred more frequently, typically  
2 monthly, and handled implementation of the agreements made at top meetings.  
3

4 132. Finally, the third level meetings were known as “working level” meetings  
5 and were attended by lower level sales and marketing employees. These meetings generally  
6 occurred on a weekly or monthly basis and were mostly limited to the exchange of information  
7 and discussing pricing since the lower level employees did not have the authority to enter into  
8 agreements. These lower level employees would then transmit the competitive information up the  
9 corporate reporting chain to those individuals with pricing authority. The working level meetings  
10 also tended to be more regional and often took place near the conspirators’ factories. In other  
11 words, the Taiwanese manufacturers’ employees met in Taiwan, the Korean manufacturers’  
12 employees met in Korea, the Chinese in China, and so on.

13 133. The Chinese glass meetings began in 1998 and generally occurred on a  
14 monthly basis following a top or management level meeting. The China meetings had the  
15 principal purpose of reporting what had been decided at the most recent glass meetings to the  
16 Chinese manufacturers. Participants at the Chinese meetings included the manufacturers located  
17 in China, such as IRICO and BMCC, as well as the China-based branches of other conspirators,  
18 including but not limited to Hitachi Shenzhen, Samsung SDI Shenzhen, Samsung SDI Tianjin,  
19 and Chunghwa.

20 134. Glass meetings also occurred occasionally in various European countries.  
21 Attendees at these meetings included those conspirators which had subsidiaries and/or  
22 manufacturing facilities located in Europe, including Philips, LG Electronics, LP Displays,  
23 Chunghwa, Samsung, Daewoo (usually DOSA attended these meetings on behalf of Daewoo) and  
24 IRICO. Chunghwa also attended these meetings.

25 135. Representatives of the conspirators also attended what were known  
26 amongst members of the conspiracy as “green meetings.” These were meetings held on golf  
27 courses. The green meetings were generally attended by top and management level employees of  
28

1 the conspirators. During the Relevant Period, glass meetings took place in Taiwan, South Korea,  
2 Europe, China, Singapore, Japan, Indonesia, Thailand, Malaysia, and the United States.  
3

4 136. Participants would often exchange competitively sensitive information  
5 prior to a glass meeting. This included information on inventories, production, sales and exports.  
6 For some such meetings, where information could not be gathered in advance of the meeting, it  
7 was brought to the meeting and shared.

8 137. The glass meetings at all levels followed a fairly typical agenda. First, the  
9 participants exchanged competitive information such as proposed future CRT pricing, sales  
10 volume, inventory levels, production capacity, exports, customer orders, price trends and  
11 forecasts of sales volumes for coming months. The participants also updated the information they  
12 had provided in the previous meeting. Each meeting had a rotating, designated "Chairman" who  
13 would write the information on a white board. The meeting participants then used this  
14 information to discuss and agree upon what price each would charge for CRTs to be sold in the  
15 following month or quarter. They discussed and agreed upon target prices, price increases, so-  
16 called "bottom" prices and price ranges for CRTs. They also discussed and agreed upon prices of  
17 CRTs that were sold to specific customers, and agreed upon target prices to be used in  
18 negotiations with large customers. Having analyzed the supply and demand, the participants  
19 would also discuss and agree upon production cutbacks.

20 138. During periods of oversupply, the focus of the meeting participants turned  
21 to making controlled and coordinated price reductions. This was referred to as setting a "bottom  
22 price."  
23

24 139. The conspiracy included agreements on the prices at which certain  
25 conspirators would sell CRTs to their own corporate subsidiaries and affiliates that manufactured  
26 end products, such as televisions and computer monitors. The conspirators realized the  
27 importance of keeping the internal pricing to their affiliated OEMs at a high enough level to  
28 support the CRT pricing in the market to other OEMs. In this way, Defendants and their co-